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September 10, 2009

Mr. Garrett Damrath
California Department of Transportation
District 7, Division of Environmental Planning
100 South Main Street, MS 16A, Suite 100
Los Angeles, CA 90012

Dear Mr. Damrath:

Subject: Interstate 710 (I-710) Corridor Environmental Impact Report/Environmental Impact Statement (EIR/EIS) Purpose and Need

This is in response to the August 18, 2009, letter from Mr. Ronald J. Kosinski, Deputy District Director of Environmental Planning for California Department of Transportation - District 7, on the Purpose and Need Statement for the I-710 Corridor Project.

As a participating agency for this Project, the Los Angeles Department of Water and Power (LADWP) has been meeting on a monthly basis with your agency, the Los Angeles County Metropolitan Transportation Authority and the environmental consultants to evaluate alternatives and identify potential impacts associated with relocating a portion of LADWP's major transmission line that runs parallel to the I-710 freeway. Many of LADWP's comments are being incorporated into this overall evaluation. With respect to the draft Purpose and Need section, we recommend that the following underlined, italicized language be incorporated into the Project Purpose (page 3):

Project Purpose

The purpose of the proposed project is as follows:

- Improve air quality and public health
- Improve traffic safety
- Address design deficiencies
- Address projected traffic volumes

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Mr. Garrett Damrath
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- Address projected growth in population, employment, and economic activities related to goods movement
- Maintain full utilization of the adjacent electric transmission corridor

Maintain Full Utilization of the Adjacent Electric Transmission Corridor

The I-710 Corridor Project is directly adjacent to major high-voltage transmission lines that connect to critical generating units which provide power to the Los Angeles basin. This infrastructure needs to be maintained in the I-710 corridor to prevent blackouts and protect public health and safety.

We look forward to continue working with your agency during the development of the EIR/EIS for this project. For additional information, please contact Mr. Mark J. Sedlacek of my staff at (213) 367-0403.

Sincerely,



H. David Nahai
Chief Executive Officer
and General Manager

MJS:sc
c: Mr. Mark J. Sedlacek



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT CORPS OF ENGINEERS
P.O. BOX 532711
LOS ANGELES, CALIFORNIA 90053-2325

September 16, 2009

Regulatory Division

Ron Kosinski, Deputy District Director
California Department of Transportation—District 7
c/o Garrett Damrath, MS 16A
100 South Main Street, Suite 100
Los Angeles, California 90012

Dear Mr. Kosinski:

Thank you for providing the opportunity to comment on the draft Purpose and Need Statement ("Statement"), dated August 18, 2009, for the I-710 Corridor Project. You have requested our comments as part of the environmental review process required by Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). Upon review of the Statement, our concerns are: (1) that the project need is not quantifiable, and (2) the project purpose is not specific enough to limit the range of alternatives and determine success criteria in meeting the stated need. The lack of specificity in your project purpose would be problematic in conducting a 404(b)(1) alternatives analysis.

Although "need" and "purpose" are closely linked under the National Environmental Policy Act (NEPA), the two terms are distinct. The need for action may be thought of as the underlying problem or deficiency, while the purpose may be thought of as an intention to solve the identified problem. The "Project Need" and the "Project Purpose" sections should each begin with a one- or two-sentence-long statement that succinctly captures the problem or the intended project objective. Supporting information and data would then follow.

Since the project purpose is based on the need for action, we suggest that you revise the "Project Need" section first and reorganize it such that identified problems are clearly separated and described in order of priority, and subsections of text be completed prior to inserting corresponding tables. Needs should be provided in terms of quantified deficiencies as compared to some relevant standard, such as state standards or defined regional goals. Providing measureable objectives will allow you to determine success in meeting your

needs. Such clarification will be useful in providing a range of reasonable alternatives for your environmental document and the 404(b)(1) alternatives analysis.

2 { The project purpose is currently presented as a five-point set of general goals without quantitative elements, range, location, or prioritization. The objectives are not clearly ordered to relate directly to the need. Also, it is appropriate to consider whether all five objectives should be part of the project purpose, or if some objectives are part of the project purpose while others are simply additional objectives to consider. We suggest that the subsections on pages 3 and 4 introducing the need information in the "Project Purpose" section be eliminated. In addition, after revision, the statements in the "Introduction" section should align with the language in the "Purpose and Need for the Proposed Project" section so there is no uncertainty about what is controlling the development of alternatives.

3 { While developing the purpose and need and the range of alternatives, we also suggest that you consider our agency's mission of providing flood control, in terms of the safe and effective operation of the Los Angeles River flood control channel, as a potential constraint in meeting your need.

4 { In addition to your Statement, you have provided an updated Project Coordination Plan, dated August 2009, describing the roles and responsibilities of agencies involved in the environmental review process. We would like to clarify the Corps' responsibilities regarding your proposed project, as stated in our previous letter accepting Caltrans' invitation to become a cooperating and participating agency. In addition to having Clean Water Act Section 404 permit jurisdiction, we must also make a determination under 33 U.S.C. Section 408 regarding any proposed modifications to the Los Angeles County Drainage Area Project, and we would also have to determine whether to issue a consent to activities you may propose for the flood control easement area within and adjacent to the Los Angeles River. To reflect those responsibilities, we ask that you please revise Section 1.1 of the coordination plan to include our three roles: regulatory (section 404), flood risk management (the "408 determination"), and asset management (consent to activities in our easement area). Due to our
5 { separate responsibilities under these three roles, we request that our agency contacts be Phil Serpa of our Asset Management Division for the flood risk

5 [management and asset management roles, and Phuong Trinh of my staff for the regulatory role.

We look forward to continued coordination in the development of the Purpose and Need Statement as part of the NEPA and Clean Water Act Section 404 integration process.

If you have any additional questions, please contact Phil Serpa of our Asset Management Division at (213) 452-3402 or Phuong Trinh of my staff at (213) 452-3372. Please refer to this letter and SPL-2008-934-PHT in your reply.

Sincerely,



Mark D. Cohen
Deputy Chief, Regulatory Division



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

October 1, 2009

Ronald Kosinski, Deputy District Director
Division of Environmental Planning
California Department of Transportation – District 7
100 South Main Street, Suite 100
Los Angeles, CA 90012

Subject: Comments on the Draft Project Purpose and Need Statement for the Interstate 710 Corridor Project from Ocean Boulevard in the City of Long Beach to State Route 60 in Los Angeles County, California

Dear Mr. Kosinski:

The United States Environmental Protection Agency (EPA) has reviewed the Draft Project Purpose and Need (Draft Purpose and Need) for the proposed Interstate 710 (I-710) Corridor Project (Project) from Ocean Boulevard in the City of Long Beach to State Route 60 (SR-60) in Los Angeles County, California. The nature of the improvements for this 18-mile segment is to add lanes in each direction, including high-occupancy vehicle (HOV) lanes, dedicated truck lanes and/or general purpose lanes. Additionally, the Project may also include modifications to I-405, State Route 91, I-105, SR-60 and I-5 interchanges.

Our comments on the Draft Purpose and Need are provided through our role as a Participating Agency pursuant to the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), as a Cooperating Agency pursuant to the National Environmental Policy Act (NEPA), and as a member of the Air Agency Technical Working Group (AATWG) for this Project. EPA's comments are also provided pursuant to the Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508) and Section 309 of the Clean Air Act. EPA's participation as a Participating or a Cooperating Agency does not constitute formal or informal approval of any part of this Project under any statute administered by EPA, nor does it limit in any way EPA's independent review of the Draft and Final EISs pursuant to Section 309 of the Clean Air Act.

The California Department of Transportation (Caltrans) has indicated that an Environmental Impact Report/Environmental Impact Statement (EIR/EIS) will be prepared for the Project pursuant to the California Environmental Quality Act (CEQA) and NEPA. The State of California has assumed responsibilities under NEPA for this project pursuant to the *Memorandum of Understanding Between the Federal Highway Administration (FHWA) and Caltrans Concerning the State of California's Participation in the Surface Transportation Project Delivery Pilot Program*.

implementing more than one of these alternatives simultaneously in the interest of minimizing environmental impacts.

3 The Project Need section (at p. 5) further indicates "the need for the I-710 Corridor project is based on an assessment of the transportation demand and current and predicted future traffic on I-710 as measured by level of service (LOS)." EPA recommends that Caltrans fully evaluate and describe how potential alternative modes of transportation, in addition to proposed transportation and freight-related projects in the area, coupled with the latest traffic and cargo forecasts in light of recent major declines in cargo volumes, would impact the current and future traffic patterns on the existing I-710 freeway. By relying on traffic projections which may be based on existing infrastructure or different assumptions, the Draft Purpose and Need may again be setting the stage to preclude a reasonable range of alternatives under consideration for this Project. EPA recommends that the Draft Purpose and Need reflect this broader scope and more comprehensive evaluation of future passenger traffic and freight movement in the Study Corridor area.

Finally, the Purpose and Need should include a clear, objective statement of the rationale for the proposed Project, as it provides the framework for identifying project alternatives. We recommend that the revised Purpose and Need include a clear, concise objective statement based on the recommendations included in this letter.

4 Evaluate Need for Project in Context of All Future Projects and the Most Updated Traffic Projections

1 The Need for the Project should be considered in the context of the other transportation improvements in the Los Angeles area such as terminal expansions, proposed intermodal facilities, and future highway improvements. Estimates of future congestion should consider the improvements in traffic conditions provided by improvements to these facilities and additional information should be provided to substantiate these conclusions as part of the Project Purpose and Need Statement. The subsection 'Modal Interrelationships and System Linkages' (at p. 32) should be revised to include this discussion. Further, if alternatives were analyzed and determined unreasonable through previous study, then they should be discussed as alternatives considered and withdrawn with sufficient justification as part of the DEIS.

2 Local communities are already heavily impacted along the Study Corridor, which could be exacerbated by the many projects currently planned at and around the Port, on the I-710, and along connecting corridors. Therefore, all impacts, even seemingly small impacts, are important to consider and mitigate in order to fully offset the adverse project related impacts to the local community. Please note that EPA continues to recommend a Comprehensive Human Health Impact Analysis for this Project (see our previously submitted comments for additional information on our recommendations).

3 With respect to future traffic and cargo projections, EPA acknowledges the discussion (at p. 18) of the current economic crisis and the impacts to global trade. These recent economic factors, including the downturn in the housing market, credit crisis, and increased unemployment, may continue to slow growth in the area. As the global economic climate

1 [remains in flux, the impact of these recent events on previous growth projections should be considered, and their relevance to the Project Need should be discussed and updated in future versions of the Purpose and Need Statement and in the DEIS.

Demonstrate Independent Utility for the Proposed Project and Describe Full Scope of Project Need

5 [In light of the I-710's critical role in the goods movement network in Southern California, if the completion of the proposed action along the 18-mile segment of I-710 triggers the need to improve additional stretches of I-710 or connecting corridors, such as a shift of this segment's congestion bottleneck to north of SR-60, then the project scope may need to be expanded. As a result, the NEPA evaluation should include the full extent of the planned high-occupancy vehicle (HOV), general purpose and truck lane corridors, and how it will operate. The proposed improvements for the I-710 Corridor would have independent utility if the intended benefit of congestion reduction and the intended need of the project could be met independent of any future planned HOV, general purpose or dedicated truck lane expansion on I-710 north of SR-60 or other connecting corridors.

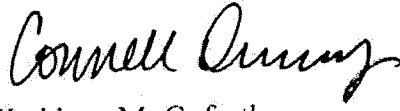
6 [The revised Purpose and Need Statement, future project analyses and the DEIS should clearly demonstrate the independent utility of the Project within its current geographic limits as it relates to the need for the project. If the project need cannot be met without future planned improvements, the scope of the project should be expanded accordingly, such as including an analysis of future improvements to I-710, I-105, SR-91, SR-60, I-10 and I-405, since these would be considered connected and similar actions (40 CFR 1508.25). EPA believes this is the most effective way to address indirect and cumulative environmental impacts, and also ensures that a broader scope is applied in the identification and evaluation of project alternatives that may be less environmentally damaging. Generally, funding or constraints of project staging and construction should not be used as a basis for segmenting the evaluation of environmental impacts under NEPA.

8 [Thank you again for this opportunity to comment on the Draft Purpose and Need for the I-710 Corridor Project. Specifically for this Project, EPA recommends updating the Draft Purpose and Need based on the recommendations above to ensure it sets the stage for a discussion and evaluation of the full breadth of a reasonable range of alternatives in the Alternatives Analysis Report and DEIS regardless of what the future findings of an alternatives analysis may be. As a Cooperating Agency, EPA also expects to review a draft Environmental Justice Methodology and the upcoming draft Community Impacts Assessment section. Further, we recommend that Caltrans demonstrate compliance with Title VI and Executive Order 12898 on Environmental Justice as part of these documents or in another section of the DEIS. Finally, in our role as a Cooperating Agency, we may be interested in reviewing other draft sections prior to the public release of the DEIS.

Please send us the next revision that incorporates feedback provided by our agency as well as others that provided feedback. Given the scope of the proposed Project as well as the complexity of the required environmental analyses, we request that Caltrans continue to coordinate with EPA during the development of the Draft EIS and greatly appreciate the

coordination to date. If you have any questions, please feel free to contact Connell Dunning, Transportation Team Leader, at 415-947-4161, or Tom Plenys, the lead reviewer for this Project. Tom can be reached at 415-972-3238 or plenys.thomas@epa.gov.

Sincerely,

For 

Kathleen M. Goforth
Environmental Review Office
Communities and Ecosystems Division

CC: Stephanie J. Hall, U.S. Army Corps of Engineers
Garrett Damrath, Caltrans
Cynthia Marvin, California Air Resources Board
Dr. Ralph Appy, Port of Los Angeles
Richard Cameron, Port of Long Beach
Hasan Ikhrata, Southern California Association of Governments
Susan Nakamura, South Coast Air Quality Management District
Dr. Paul Simon, Los Angeles County Department of Public Health



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
Carlsbad Fish and Wildlife Office
6010 Hidden Valley Road, Suite 101
Carlsbad, California 92011



In Reply Refer To:
FWS-LA-08B0786-10TA0014

OCT 07 2009

Mr. Ron Kosinski *RK*
California Department of Transportation, District 7
Environmental Planning Office, MS 16A
100 South Main Street, Suite 100
Los Angeles, California 90012

Attention: Garrett Damrath

Subject: Interstate 710 Corridor Project Environmental Impact Report / Environmental Impact Statement Purpose and Need, Los Angeles County, California

Dear Mr. Kosinski:

You have requested our comment, as a Participating Agency, pursuant to Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) 2005, on the statement of purpose and need for the Interstate 710 (I-710) Corridor Project. We received your request for our written comment on September 14, 2009.

By transmittal of this letter we memorialize our verbal statement on September 8, 2009, that we have no comment on the purpose and need statement in *Draft Report I-710 Corridor Project Purpose and Need Statement* (URS August 18, 2009).

We appreciate the opportunity to participate in the transportation planning process and look forward to our continued coordination in these matters. If you have any questions regarding this letter, please contact Sally Brown of this office at (760) 431-9440, extension 278.

Sincerely,

Karen A. Goebel
Assistant Field Supervisor